Hon. Thomas S. Zilly 1 2 3 4 5 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 6 AT SEATTLE 7 NOAH FORD, C22-1791 TSZ 8 Plaintiff. PRETRIAL ORDER 9 v. 10 I.Q. DATA INTERNATIONAL, INC., 11 Defendant. 12 13 14 JURISDICTION 15 Jurisdiction of this Court arises under U.S.C. § 1692k(d), 15 U.S.C. § 1681, and 28 16 U.S.C. § 1367 for pendent state law claims. Venue is proper because the acts and transactions occurred in Washington State, Plaintiff resides in California, and the Defendant transacts 17 business here. 18 CLAIMS AND DEFENSES 19 1) Fair Credit Reporting Act (FCRA), 15 U.S.C. §§ 1681–1681x. Count III. Plaintiff 20 asserts a violation under 15 U.S.C. § 1681s-2(b) by failing to conduct a reasonable investigation. Defendant asserts a defense of reasonable investigation to this claim. 21 2) Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §§ 1692–1692p. Count I. This 22 claim relates solely to the January 6, 2022 Letter. Defendant asserts two defenses to this 23 claim: (a) materiality and (b) Bona Fide Error Defense. 24 3) Consumer Protection Act (CPA), RCW Chapter 19.86. Amended Complaint ¶ 132-137 (docket no. 6). 25 **EXPERT WITNESSES** Each party shall be limited to one expert witness on any issue. (a)

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1	(b)		ame and addresses of the expert witness to be used by each party at the trial and the upon which each will testify is:
2			
3 4		(1)	On behalf of plaintiff: Thomas Tarter of The Andela Consulting Group, Inc. – 18783 Tribune Street, Northridge, CA 91326. Tarter may testify on any issues permitted by the Court's September 5, 2024 minute order (docket no. 176).
7		(2)	
5		(2)	On behalf of defendant: Dean Binder of Binder Group Consulting – 2290 Kirkstone Drive Buford, GA 30519. Binder's testimony relates to the information furnished to the credit reporting agencies. Binder's testimony will be limited to
7			his expert report and any deposition testimony.
7 8			OTHER WITNESSES
9	1		nd addresses of witnesses, other than experts, to be used by each party at the time of general nature of the testimony of each are:
10	(a)	On be	half of plaintiff: See Exhibit A attached below.
11			•
12	(b)	On be	half of defendant: See Exhibit B attached below.
			EXHIBITS
13 14	(a)	Plaint	iff's exhibits: See Exhibit C attached below.
15	(b)	Defen	dant's exhibits: See Exhibit D attached below.
16			DAMAGES
17	1	iff will trial rul	be limited to its offer of proof on damages, docket no. 168, as limited by the court
18	III pre	ulai lui	
19			ACTION BY THE COURT
20	This c	case is s	cheduled for trial without a jury on September 16, 2024, at 9:00 a.m.
21	1		all control the subsequent course of the action unless modified by a subsequent
22	1		rder shall not be amended except by order of the court pursuant to agreement of the prevent manifest injustice.
23		Dated	this 6th day of September, 2024.
24			
			1 homas 5 Felly
25			Thomas S. Zilly United States District Judge

# EXHIBIT A

1 2 UNITED STATES DISTRICT COURT 3 FOR THE WESTERN DISTRICT OF WASHINGTON 4 5 Noah Ford, Case No.: 2:22-cv-01791 6 7 Plaintiff, 8 WITNESS LIST 9 v. 10 11 I.Q. Data International, Inc., Kris Graafstra and John Doe, 12 13 Defendants. 14 15 16 Witnesses 17 Gudbranson - signed discovery as agent for I.Q. about processes and procedures in processing and reporting this debt 18 19 **Graafstra** – procedures in processing and reporting this debt. 2.0 Jeffrey Hasson - why he was unaware of the purported lease and failed to disclose it until TZ just before he filed his first MSJ during November 2023. 21 22 **Noah Ford** – all matters 23 Thomas Tarter – credit report expert and impact of I.Q. Data on Plaintiff 24 Hannah McFarland - document examiner expert - that she could not determine if the TZ 25 purported signature on the purported lease, the original of which was destroyed, (spoliation 26 2.7 JAMES STURDEVANT WITNESS LIST - 1/2 28 ATTORNEY AT LAW Case No. 2:22-cv-01791 119 N. Commercial St. Ste. 235 Ford Bellingham, WA 98225 ph (360) 671-2990 fax (360) 483-5970 email: sturde@openaccess.org

of evidence).							
<b>Doug Jordan</b> – Close family friend about paying rent, moving out of apartment, moving to Atlanta and impact on Plaintiff							
<b>Thomas Ford III</b> – Plaintiff's father, where he lived, and moving and impact on Plaintiff							
Yardi dba Rent Cafe. Yardi supplied the program which	Yardi dba Rent Cafe. Yardi supplied the program which processed the leases at issue.						
Plaintiff subpoenaed Yardi to produce records and docur	ments for Shea Properties. It stated						
that it had records of payments, but refused to produce the	nem unless the subpoena served on						
it unless the subpoena specifically requested "Payments."	" Why defendant refuses to						
produce this payment record puzzles.							
Experian credit score history for Noah Ford							
Equifax eredit score history for Noah Ford							
Transunion credit score history for Noah Ford							
<b>Dr. Tong Ning</b> , Acupuncturist who treated Plaintiff during the summer of 2022 for anxiety							
and stress.							
Veterans Administration about his PTSD and mental health problems during summer of							
2022.							
Plaintiff is likely to call all of them							
DATED this 23rd day of August 2024.							
/s/ James Sturdevant James Sturdevant							
<b>WITNESS LIST - 2/2</b> Case No. 2:22-cv-01791 Ford	JAMES STURDEVANT ATTORNEY AT LAW 119 N. Commercial St. Ste. 235 Bellingham, WA 98225 ph (360) 671-2990 fax (360) 483-5970 email: sturde@openaccess.org						

# EXHIBIT B

1	Jeffrey I. Hasson, WSBA No. 23	3741	Unita	Hon. Thomas S. Zilly
2	Hasson Law, LLC 9385 SW Locust Street		Omte	d States District Court Judge
3	Tigard, OR 97223 Telephone: (503) 255-5352			
4	Facsimile No.: (503) 255-6124 E-Mail: hasson@hassonlawllc.co	<u>om</u>		
5	Robert E. Sabido, WSBA No. 29	9170		
6	Sabido Law, LLC 9385 SW Locust Street			
7	Tigard, OR 97223 Telephone: (971) 302-6236			
8	Facsimile No.: (503) 974-1673 Email: <u>robert@sabidolawllc.cor</u>	<u>n</u>		
9	Attorney for I.Q. Data Internation	onal, Inc. and Kri	s Graafstra	
10			DISTRICT COUR	
11	FOR THE V	WESTERN DIST AT SEA	TRICT OF WASH ATTLE	INGTON
12	NOAH FORD,		Case No.: 2:22-CV	V-01791-TSZ
13	Plaintiff,			. DATA INTERNATIONAL,
14	vs.		INC.'S WITNESS	LIST
15	I.Q. DATA INTERNATIONAL	, INC., et al.,		
16	Defendants.			
17	Defendant I.Q. Data Inte	rnational, Inc. ("	I.Q. Data") submit	s the following witness list of
18	witnesses that may be called at t	rial for I.Q. Data	. All are possible	witnesses. I.Q. Data may not
19	call any witnesses if I.Q. Data is	allowed a direct	ed verdict. Rebutt	al witness may not be listed
20	as set forth in LCR 16(i).			
21	IDENTITY OF POTENTIAL		_	GENERAL NATURE OF
22	WITNESS		ND TELEPHONE	EXPECTED TESTIMONY
23	Shirley Hein, Quality Control Manager	c/o Jeffrey I. Ha Hasson Law, LI	LC .	Ms. Hein's testimony, if called, would be to
24	for I.Q. Data International, Inc.	9385 SW Locus Tigard, OR 972		interpret the work card, explain the disputes, and
25		(503) 255-5352		investigations related to proving the bona fide
26				error defense as to the

DEFENDANT I.Q. DATA INTERNATIONAL, INC.'S WITNESS LIST -

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HASSON LAW, LLC 9385 SW Locust Street Tigard, OR 97223 Telephone No. (503) 255-5352 Facsimile No. (503) 255-6124

FDCPA and WCPA claims and to show that

1	IDENTITY OF POTENTIAL WITNESS	Address and Telephone	GENERAL NATURE OF EXPECTED TESTIMONY
2			I.Q. Data performed a reasonable investigation
3			as to the FCRA claim. If needed, Ms. Hein will
4			appear in person.
5	Michael Gulbranson, Vice-President of ARS,	c/o Jeffrey I. Hasson Hasson Law, LLC	Defendant would request that this witness testify
6	Leader for I.Q. Data International, Inc.	9385 SW Locust Street Tigard, OR 97223	remotely, if called. Mr. Gulbranson is located
7		(503) 255-5352	four hours from the Courthouse, and has
8			health issues. His testimony, if called,
9			would relate to proving the bona fide error
10			defense as to the FDCPA and WCPA claims and to
11			show that I.Q. Data performed a reasonable
12			investigation as to the FCRA claim. Plaintiff
13			chose not to depose this witness despite this
14			witness being listed in
15	W		the supplemental disclosures.
16	Kris Graafstra Employee of I.Q. Data	c/o Jeffrey I. Hasson Hasson Law, LLC	Mr. Graafstra, if called, would testify that he
	International, Inc.	9385 SW Locust Street Tigard, OR 97223	followed the procedures of I.Q. Data and
17		(503) 255-5352	requested that I.Q. Data send verification of the
18			debt to Ford after I.Q. Data received a dispute
19			of the debt, and marked the account as disputed
20			so that information furnished to the credit
21			reporting agencies would
22			be reported as "disputed".
23			

DEFENDANT I.Q. DATA INTERNATIONAL, INC.'S WITNESS LIST -

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Case No.: 2:22-CV-01791-TSZ

1	IDENTITY OF POTENTIAL WITNESS	Address and Telephone	GENERAL NATURE OF EXPECTED TESTIMONY
2	Amber McClain	c/o Shea Properties Management	Defendant would request
3	Regional Director Shea Properties	Company, Inc. doing business as Shea Properties	that this witness testify remotely, if called. Ms.
4	Management Company, Inc. doing business as Shea	8351 E Belleview Avenue Denver, CO 80237	McClain is located in Colorado, and her
5	Properties. If Ms. McClain is not	(303) 804-3902	testimony has to do with proving the bona fide
6	available to testify, her designee from Shea will		error defense as to the FDCPA and WCPA
7	testify in her place.		claims and to show that I.Q. Data performed a
8			reasonable investigation as to the FCRA claim.
9			She is a third-party
10			witness that is being inconvenienced based on
			Plaintiff's prosecution of this matter. Plaintiff
11			chose not to depose this witness despite this
12			witness being listed in the supplemental
13	Dean Binder	Dindon Crown Consulting	disclosures.
14	Binder Group Consulting	Binder Group Consulting 2290 Kirkstone Drive	Defendant would request that this witness testify
15		Buford, GA 30519 (678) 549-8920	remotely, if called. This witness is located in
16			Georgia. Defendant agreed to remote
17			testimony of Plaintiff's expert on the condition
18			that Plaintiff would not object to the remote
19			testimony of Defendant's expert. His testimony
20			relates to the information furnished to the credit
21			reporting agencies.
22	Dated: September 4, 202	4.	
		s/ Jeffrey I. Hasson	
23		Jeffrey I. Hasson, WS Hasson Law, LLC	BA#23741
24		,	

Robert E. Sabido, WSBA No. 29170 Sabido Law, LLC

Attorneys for I.Q. Data

DEFENDANT I.Q. DATA INTERNATIONAL, INC.'S WITNESS LIST -

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Case No.: 2:22-CV-01791-TSZ

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I hereby certify that on September 4, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: James A. Sturdevant and I hereby certify on that I mailed by United States Postal

s/ Jeffrey I. Hasson

Jeffrey I. Hasson, WSBA#23741 Attorney for IQDI Hasson Law, LLC 9385 SW Locust Street Tigard, OR 97223

Phone: (503) 255-5352 Facsimile: (503) 255-6124

E-Mail: hasson@hassonlawllc.com

CERTIFICATE OF SERVICE -- Page 1 Case No.: 2:22-CV-01791-TSZ

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# EXHIBIT C

1 2 UNITED STATES DISTRICT COURT 3 FOR THE WESTERN DISTRICT OF WASHINGTON 4 5 Noah Ford, Case No.: 2:22-cv-01791 – TSZ 6 7 Plaintiff, 8 EXHIBIT LIST 9 v. 10 11 I.Q. Data International, Inc., Kris Graafstra and John Doe, 12 13 Defendants. 14 15 16 1. Their initial 26(a) disclosures 17 2. Their Answers to Plaintiff's Interrogatories and Responses to Request for Production 18 and Admissions. 19 20 3. Their second 26(a) disclosures 21 4. Declarations in support of Defendants' MSJ I 22 5. Declarations in Support of Defendants' MSJ II. 2.3 6. Tarter's Report – credit report expert 24 25 7. Hannah McFarland – document examiner on purported lease. 26 8. Declarations of Douglas Jordan, 27 JAMES STURDEVANT **EXHIBIT LIST - 1/2** 28 ATTORNEY AT LAW Case No. 2:22-cv-01791 119 N. Commercial St. Ste. 235 Ford Bellingham, WA 98225 ph (360) 671-2990 fax (360) 483-5970 email: sturde@openaccess.org

### $\textbf{Case} \textbf{2222} \textbf{222} \textbf{240017991} \textbf{52} \textbf{Z} \textbf{DDoormeen1.10} \textbf{6} \textbf{Fifield} \textbf{09800224} \textbf{4} \textbf{Plagge1.2} \textbf{ of 27} \textbf{27} \textbf{27} \textbf{29} \textbf{29$

1	
2	9. Declarations of Plaintiff
3	10. E-mails to and from Jeffrey Hasson on the purported lease.
4	11. Medical records of Dr. Tong Ning
5	12. Medical Records of the Veterans Administration
6	DATED at this <u>23rd</u> day of August 2024.
7	uny errangue
8	/s/ James Sturdevant
9	James Sturdevant
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27	FYHIRIT I IST _ 2/2 JAMES STURDEVANT
28	EXHIBIT LIST - 2/2  Case No. 2:22-cv-01791  Ford  JAMES STURDEVANT ATTORNEY AT LAW  119 N. Commercial St. Ste. 235 Bellingham, WA 98225 ph (360) 671-2990 fax (360) 483-5970 email: sturde@openaccess.org

### EXHIBIT D

PRETRIAL ORDER - 6

### Case 2222:v:001991FSZZ DDoorment1194 Fffed 009006/224 Page 15 of 37

1		asson, WSBA No. 23	3741			nas S. Zilly
2	Hasson Law 9385 SW Lo			Unite	ed States District (	Court Judge
3		(503) 255-5352				
4		o.: (503) 255-6124 son@hassonlawllc.co	<u>om</u>			
5		abido, WSBA No. 29	9170			
6	Sabido Law 9385 SW Lo					
7	Tigard, OR Telephone:	97223 (971) 302-6236				
8	Facsimile N	o.: (503) 974-1673 ert@sabidolawllc.cor	<u>n</u>			
9	Attorney for	r I.Q. Data Internatio	nal, Inc. and k	Kris Graafstra		
10				S DISTRICT COUI		
11		FOR THE V		STRICT OF WASF EATTLE	HINGTON	
12	NOAH FOR	RD,		Case No.: 2:22-C	V-01791-TSZ	
13	Plair	ntiff,			Q. DATA INTERI	NATIONAL,
14	vs.			INC.'S EXHIBIT	LIST	
15	I.Q. DATA INTERNATIONAL, INC., et al.,					
16	Defendants.					
17	Defe	endant I.Q. Data Inte	rnational, Inc.	("I.Q. Data") subm	its the following e	xhibit list of
18	exhibits that may be offered at trial by I.Q. Data. I.Q. Data may not offer any exhibits if I.Q.					its if I.Q.
19	Data is allov	wed a directed verdic	et. Exhibits the	at may be used for i	mpeachment purp	oses may not
20	be listed as	set forth in LCR 16(i	(i).			
21				Authenticity		
22	Exhibit Number	Description	Admissibility Stipulated	Stipulated/Admissibi	Authenticity Disputed	Admitted
23	101	Consumer Dispute Policy	Stipulatea	Disputed	Disputed	7 Tunneteu
24	101	Disputes				
25	102	Received via Telephone Policy				
	103	Contract with Creditor				
26	104	Work Card				

DEFENDANT I.Q. DATA INTERNATIONAL, INC.'S EXHIBIT LIST -

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#### Case@2222ev+0017991F\$\ZZ DDooument11794 Fffedd09906#244 Plagge18 of 37

Exhibit Number	Description	Admissibility Stipulated	Authenticity Stipulated/Admissibility Disputed	Authenticity Disputed	Admitted
105	Proof of Charges	<b>P</b>			
	Statement of				
106	Security Deposit				
107	First Lease				
108	Second Lease				
	Recording of Call				
	from Douglas				
109	Jordan				
10	First Notice				
	First Dispute in				
111	Writing				
	Second Dispute				
112	in Writing				
	Itemization Letter				
113	from I.Q. Data				
	February				
	Statement of				
114	Security Deposit				
115	February Dispute				
	February				
116	Resident Ledger				
	June Statement of				
117	Security Deposit				

Dated: September 4, 2024.

s/ Jeffrey I. Hasson Jeffrey I. Hasson, WSBA#23741

Hasson Law, LLC

Robert E. Sabido, WSBA No. 29170 Sabido Law, LLC

Attorneys for I.Q. Data

DEFENDANT I.Q. DATA INTERNATIONAL, INC.'S EXHIBIT LIST -

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#### Case@2222evv001991FSZZ DDoorment1194 FHed009906/224 Plagge13 of 37

### Certificate of Service 1 I hereby certify that on September 4, 2024, I electronically filed the foregoing with the 2 Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: James A. Sturdevant and I hereby certify on that I mailed by United States Postal 3 Service the document to the following: 4 s/ Jeffrey I. Hasson 5 Jeffrey I. Hasson, WSBA#23741 Attorney for IQDI 6 Hasson Law, LLC 9385 SW Locust Street 7 Tigard, OR 97223 Phone: (503) 255-5352 8 Facsimile: (503) 255-6124 E-Mail: hasson@hassonlawllc.com 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26

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